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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

SIERRA CLUB, <i>et al.</i> ,)	Case No.: C-08-00956-VRW
)	
Plaintiffs,)	ADR CERTIFICATION BY PARTIES
)	AND COUNSEL
v.)	
)	
STEPHEN L. JOHNSON, in his official)	
capacity as Administrator of the)	
United States Environmental)	
Protection Agency,)	
)	
Defendant.)	
)	

Pursuant to Civil L.R. 16-8(b) and ADR L.R. 3-5 (b), each of the undersigned certifies that he or she has:

(1) Read the handbook entitled "Dispute Resolution Procedures in the Northern District of California" on the Court's ADR Internet site www.adr.cand.uscourts.gov;

(2) Discussed the available dispute resolution options provided by the Court and private entities; and

(3) Considered whether this case might benefit from any of the available dispute resolution options.

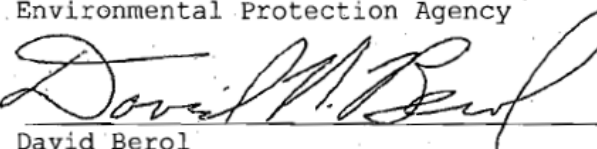
Respectfully submitted,

Dated: September 5, 2008

RONALD J. TENPAS
Assistant Attorney General
Environment and Natural Resources
Division

/s/
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Dated: September 5, 2008

STEPHEN L. JOHNSON
Administrator, United States
Environmental Protection Agency

David Berol
Office of General Counsel
U.S. Environmental Protection Agency

CERTIFICATE OF SERVICE

I hereby certify that on September 5, 2008, the foregoing **DECLINATION TO PROCEED BEFORE A MAGISTRATE JUDGE AND REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE** was filed electronically. Pursuant to Local Rule 5-5 and General Order No. 45, a Notice of Electronic Filing will be sent to the following parties by operation of the Court's electronic filing system:

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